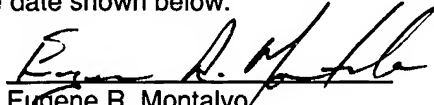




PATENT
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Eugene R. Montalvo
Date: October 25, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	
)	
Zhiyi Zhang et al.)	
)	
Serial No. 10/730,235)	Group Art Unit: 3672
)	
Filed December 8, 2003)	Examiner: NA
)	
COMBINED TELEMETRY SYSTEM AND METHOD)	October 25, 2004
<hr/>		

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION UNDER RULE 1.78(a)(3)

The Applicant hereby requests consideration of this Petition Under Rule 1.78(a)(3).

The undersigned recently became aware that the old practice of being able to insert a cross reference to a prior U.S. application by requesting such in the patent application transmittal form was changed by the new amendment practice effective July 30, 2003. It was at this time that the undersigned reviewed this patent application and found out that the amendment to include the required cross reference to the provisional application serial number 60/431,360 had only been requested at the time of filing in the transmittal form. The undersigned states that this error to include a preliminary amendment along with the filing was unintentional and that the entire delay in submitting this amendment was unintentional. The Applicant requests that the amendment of the specification in the amendment filed concurrently herewith be accepted.


10/29/2004 MAHMED1 00000086 191800 10730235

01 FC:1460 130.00 DA

The Applicant requests that the fee for filing this petition and any fee/surcharge required for late filing of the amendment to include the cross reference to the prior application be charged to Shell Oil Company Deposit Account 19-1800.

Respectfully submitted,

Zhiyi Zhang et al.

By 

Attorney, Eugene R. Montalvo

Registration No. 32,790

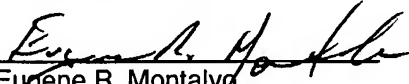
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Eugene R. Montalvo
Date: October 25, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	
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COMBINED TELEMETRY SYSTEM AND METHOD)	October 25, 2004
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COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT

The Applicant hereby requests that the application be amended as follows:

In the Specification:

Please amend the specification by inserting before the first line:

This application claims the benefit of U.S. Provisional Application No. 60/431,360 filed December 6, 2002, the entire disclosure of which is hereby incorporated by reference.

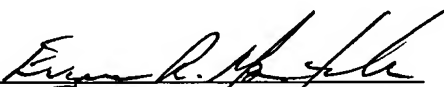
REMARKS

The amendment of the specification to include a reference to the prior US application in the utility patent application transmittal form was mistakenly not made according to the new amendment practice. The Applicant requests that the application be amended as described on the previous page and that the attached petition under Rule 1.78(a)(3) be accepted.

The Applicant hereby requests that the fee/surcharge for making the petition to include the cross reference to the prior application be charged to Shell Oil Company Deposit Account No. 19-1800.

Respectfully submitted,

Zhiyi Zhang et al.

By 
Attorney, Eugene R. Montalvo
Registration No. 32,970
(713) 241-0296

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